App. F. IX-4

Previous References

1929. (LB.)

File No. 51-29

Serial Nos. 1-2

Later References

Mul. 37-30 (8) 4102)
Pol 114-31-56.

General and Revenue Secretariat.

Serial Nos. 2

Part B for October 1930

SUBJECT.

Payment of T.A. to Sanitary Inspectors etc., who are asked to attend Courts by the Police Deptt, should not be paid out of Dt. Funds but that they should be given batta under the rules of the Court and met by Govt.

2) To

The President, Dt Bd. Kolar, Thro' D.C. Kolar
" Presidents of other Dt Bds., Thro' D.Cs. concerned
" Deputy Comrs of Dts.
" Comptroller to Govt.
" Registrar, High Court of Mysore

L. 2562-79 Dy 23.9.30

Directs that the Sanitary Inspectors etc, be paid batta under Court rules and the charge met out of State funds

General and Revenue Secretariat | LB | File No. 57 | of 192 9

Serial No.	
1	Letter No dt 16 Dy 4.7.29 from the Presd Dt Bd Kolar states that Sanry Inspectors are ~~have~~ very often asked by the Police Dept to give evidence in courts in murder cases, that the J.A etc of these officers are objected during payment of DA & T.A audit & requests that such objections may be ordered to be withdrawn & clear instructions issued in the matter. It is stated that as the courts do not deny the charges, the Board says the amount on production of the certificate of attendance & such charges are objected in audit on the ground that the same does not relate to the Department. ~~The Pd. Board & the Govt of~~ India may perhaps be consulted about the procedure to be adopted in such cases by 2) The payment of the T.A in the cases referred to is not a legitimate charge on the Dt. Bd The State will have to bear the charge if payment is considered necessary from Pol or may be contributed B 26/7/29

Note—Contn. Sheet

Serial No.

3) The Sanitary Inspectors of local bodies should perhaps have nothing to do with the detection of crime or steps necessary therewith. If however it is considered that they should assist the police in the work, then the question as to who should bear their charges has to be decided. In first depts, the dept defrays the charges. The Govt may also be asked to bear this charge or whether the first should pay it is for consideration. The Director may be consulted in the matter

Sd/ Secy

W. 27/8.

4) As medical officers are Heads of Police in their Taluks it is a very common practice for the Police to requisition the Sanitary Inspectors for preparing sketches of localities of crimes. These Sanitary Inspectors have to attend Courts to depose to these sketches. The T.A. payable in this connection has to be met as the Police Dept and it would not be reasonable to expect the Dist Bd to meet these charges.

Sd/ 28/8

FINANCIAL SECRETARY
4 SEP. 1929
No 3034

JC885
D 4/9/29

Note—Contn. Sheet

WD 61854—GPB—95,000—20-1-29

Secy's with compts

Serial No.

X 845

5) The La of Dt Board servants is to be regulated by the rules in the M. S R - Under art- 623 An officer summoned to give evidence in his public capacity in a criminal case may draw La under the rules for journeys on tour -

On the strength of this rule Dt Bd employees are being paid their La for journeys to attend criminal courts as witnesses, at the expense of the Dt Funds.

The Kolar Dt Board have not asked for a modification of this procedure.

The audit dept has raised an objection as regards the propriety of the debit to Dt Funds, on the ground that the journeys are not undertaken in their interest -.

6) The logical result of the acceptance of this view would be to apply the rules and the claim for La under the M. S. R and to ask the employee to be content with the allowances admissible under the rules of the Court. This would rather be hard on the employee, having regard to the circumstances under which he might be called upon to give evidence of facts which have come to his knowledge -

7) I am inclined to support the proposal of the Dt Board to waive the audit objection in respect of expenditure already incurred

Note—Contn. Sheet

WD 01684—GPB—30,000—20-4-29

Serial No.

~~At present daily allowance for halts in addi-~~
~~tional stages~~
and to regulate the practice for the future.

A — Whether there is any legal objection to this arrangement of charging the cost of such journeys to D.C. Funds may kindly examined by the Legal Remembrancer.

L
5.9.29
L

Recd
DS 9/9

8) Issued with reference to para 4
DS
9/9/29

DS
10/9
Recd
11-9.
DS

Law Secy. with compts.

9) No expenditure of the funds of the D.B. is regulated by Secs. 265 of the Regns. There is nothing in either of these sections to justify the suggested arrangement as A.

The proper course seems to be for the Govt to bear such charges

D.M.
2/9

Govt Secy with compts

73
24.5.30

R570
14/98
4/6
29/12/1930
RS
5/8/30
VS

(2) Issued with reference to para 7
DS
5/8/30
may be sent to the H. Secy for further remarks

VS
7.8.30.

(Govt Secy with compts RS Gen. Secy)

WD 2343—GPB—500—12-3-29

256 of 29

11

A | Then the only course left is to grant such demands
but to make the withdrawal of the Courts. I may.

R 5570

12 — Sent for orders
Gen Secy) VS
14.8.30.

13 (A) This Telegram communicated to the DYPA.

R8
13/8/30
VS

14. Despatch ib. It is not
clear to what Govt Dept
the Telegram is to be
addressed. The H.C.'s Secy to
be consulted thereupon

Typed draft attached
16.8.30

Draft approved
19/8/30 VS may be sent to the
H. Secy for concurrence -
Gen. Secy) VS
20.8.30

H. Secy) RB
21/8/30

20/8/30

23/8/30

R 706
22/8
22.8.30

In the Office.
This was handed
to H. 682 on
20/8/30
Mr. Perhaps
3/9/30

General and Revenue Secretariat | File No. 2570/37 | of 1930.

Serial No.

OFFICE OF THE FIRST MEMBER OF COUNCIL 9 SEPT. 1930 No. 2621

OFFICE OF THE SECOND MEMBER OF COUNCIL 15 SEP. 1930 No. 2137

1st Member) VB 9.9.30.

2nd Member) CBJ 10/9 VB

Ker 10/9/30

RB 16/9/30 -

Issue VB 16.9.30.

2 G.O. No. K. 2562-79 dt 23-9-30 Directs that the Survey Directors etc. be paid batta under Court rules & the charge met out of State funds.

B 3/10

Pavilion

WD 01684—GPB—30,000—20-4-29

Ge No. 16
Encs. one 1)

OFFICE OF THE PRESIDENT, DISTRICT BOARD,
KOLAR DISTRICT,

Dated, Kolar, the 4th July *1929*

GEN. & REV. SECT. 266 1917
17 JULY 1929

From

C. B. Gopala Rao, Esquire,
President, District Board, KOLAR.

L.B. 51-29
Sc 1

To

B. NARAYANASWAMY IYENGAR, ESQUIRE, B.A., B.L.,
Secretary to the Government of Mysore,
GENERAL **Department, BANGALORE.**

Thro' (The Deputy Commissioner, Kolar District.)

Sir,

I have the honour to state that the Board Sanitary Inspectors are very often requisitioned by the Police to draw sketches of scenes of murder and other crimes and consequently have to attend Courts to testify to the sketches.

2. The courts generally issue a certificate of attendance and seldom pay the travelling allowance.

3. The travelling allowance in such instances is held under objection in the audit on the ground that such work is outside the scope of the Local Board department. In this connection it may be observed that the pay for the days of the individuals is not a legitimate charge on the Board.

4. The Board servants as Public servants have to cooperat with other departments when requisitioned and as such the work done cannot be ruled out as being beyond the scope of the duties devolving under the Local Board Regulation. Officers of other departments are paid their travelling allowance from the departments concerned for such duties without any objection.

5. The Board will be very thankful if the travelling allowance in such instances is paid from the court; but in practice there is no provision available in any of the

the courts for payment of batta to witnesses appearing before them from the State and the Sanitary Inspectors are given only a certificate of attendance. Further the department which should bear the travelling allowance is not specifically decided.

6. The result is that on production of certificate of attendance, the Board pays the travelling allowance and the audit department go on placing such payments under objection. The general principle that the pay and travelling allowance should be debited to the same department is departed from by th objections of the kind under reference and there is no easy way of getting such amounts held under objection recovered and credited to the Board,

7. The question was considered by the Board and they have resolved to move the Government to have such objections withdrawn and to issue suitable instructions for future guidance Copy of their resolution is enclosed.

8. I recommend that the objections may be directed to be withdrawn and that clear instructions may be issued for the future guidance of the Board servants.

I have the honour to be,
S i r,
Your most obedient servant,

C.V. Gopala Rao
P r e s i d e n t,
District Board, Kolar.

OFFICE OF THE DEPUTY COMMISSIONER KOLAR. 6 JULY 1929 GI. No 48

Forwarded with Compliments

Deputy Commissioner,
Kolar District

PROCEEDINGS OF THE KOLAR DISTRICT BOARD MEETING

HELD ON THE 24th June 1929. 4

XX XX XX

No. 4.(11) Travelling allowance to Board servants for Court attendance.

Resolution of the Standing Committee.
Read also office note on the subject. The Committee recommend that the Government may be moved to waive such objection and to lay down definite rules of procedure for the guidance of the Board subordinates.

Resolution A p p r o v e d.

XX XX XX

"EXTRACT"

C Gopalakrishna

PRESIDENT,
District Board, Kolar.

(c

Proceedings of the Government of His Highness the Maharaja of Mysore.

R e a d:-

Letter No.O.C.16 dated 4th July 1929 from the President, District Board, Kolar, stating that the payment of T.A. etc., out of District Funds to the Sanitary Inspectors who are asked by the Police Department to go to Courts for giving evidence in criminal cases, have been held under objection during audit, on the ground that the journeys were not undertaken in the interests of the District Board and requesting that the objection may be caused to be withdrawn and clear instructions issued for meeting the charges in future.

Signed by Mr V. S. Sastry

ORDER NO.L. 2562-29 / L.B51-29-2

Dated, Bangalore, the 23rd August 1930.

The Comptroller is requested to waive the objections in respect of expenditure already incurred for the purpose referred to above.

2. As regards the payment of T.A. etc., charges in such cases in future, Government observe that the expenditure of the funds of the District Boards is regulated by Sections 45 and 65 of the Mysore District Boards Regulation and there is nothing in either of these Sections to justify the charges in question being met out of the Funds of the Board. Government therefore direct that in future such officers be granted batta under the ~~Court~~ rules of the Court, if any, ~~the same being borne by Government~~ and may in the case be allowed as Govt.

Print.

Draft) Genl: Secry to Govt. P.T.O.

To

The President, Dt. Bd. Kolar, THROUGH
the Dy. Commr. Kolar.
The Pdts. of other Dt. Bds. THROUGH
Dy. Commrs. concerned.
The Deputy Commrs. of Dists.
The Comptroller to Govt.
Registrar
The High Court of Mysore.

Copy to Protection Branch.

K.M.R.1.
19/8.

10.8.30

19/8

Proceedings of the Government of His Highness
the Maharaja of Mysore.

Read:-

Letter No. O.C. 16, dated 4th July ~~1930~~ 1929, from the President, District Board, Kolar, stating that the payment of travelling allowance etc., out of District Funds to the Sanitary Inspector who are asked by the Police Department to go to Courts for giving evidence in Criminal cases, have been held under objection during audit, on the ground that the journeys were not undertaken in the interests of the District Board and requesting that the objection may be caused to be withdrawn and clear instructions issued for meeting the charges in future.

Order No. L 2562-79/L-B 51-29-2

Bangalore, dated the 23rd September 1930.

The Comptroller is requested to waive the objections in respect of expenditure already incurred for the purpose referred to above.

2. As regards the payment of travelling allowance etc., charges in such cases in future, Government observe that the expenditure of the funds of the District Boards is regulated by Sections 45 and 65 of the Mysore District Boards' Regulation and there is nothing in either of these Sections to justify the charges in question being met out of the funds of the Board. Government therefore direct that in future such officers be granted batta under the rules of the Court, if any, and that the cost be debited to Government.

V Subrahmanyasastri
for General Secretary to Government.

To
The President, District Board, Kolar through the Deputy Commissioner, Kolar District.
The Presidents of other District Boards through the Deputy Commissioners concerned.
The Deputy Commissioners of Districts.
The Comptroller to Government.
The Registrar, High Court of Mysore.

The Secretary, H.M. Court of Justice,
The Deputy Commissioner,
The Deputy Collector,
Gentlemen,
The President of the District Boards throughout the Pro-
vince,
The Presidents, District Boards, Rohtak through the Depu-
ty Commissioner, Rohtak District.

To

Subject:- Proceedings of the Statement of His Highness.

Sir,

I am directed to forward herewith for information a copy of the proceedings of the Statement of His Highness the Maharaja Sahib on the floor of the Council on the 19th instant.

2. His Highness has been pleased to observe that the Government is fully alive to the necessity of improving the Judicial Administration of the State and that the question is being worked out by the Judicial Department in consultation with the Advocate General. His Highness has also been pleased to observe that the Government is considering the question of providing Judicial Officers in such areas as the Advocate General may consider necessary.

3. As regards the payment of travelling allowance etc., a request has been addressed to the Government of India for the grant of a special allowance to the Judicial Officers in question. The Government has also been pleased to observe that the question of providing adequate accommodation for the Courts and Offices is under consideration and that the Government is fully alive to the necessity of providing suitable quarters for the Judicial Officers.

4. The Government has also been pleased to observe that the question of providing Judicial Officers with Conveyance allowance is under consideration.

5. The Government has also been pleased to observe that the question of providing Judicial Officers with Conveyance allowance is under consideration.

6. The Government has also been pleased to observe that the question of providing Judicial Officers with Conveyance allowance is under consideration.

7. The Government has also been pleased to observe that the question of providing Judicial Officers with Conveyance allowance is under consideration.

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10. The Government has also been pleased to observe that the question of providing Judicial Officers with Conveyance allowance is under consideration.

11. The Government has also been pleased to observe that the question of providing Judicial Officers with Conveyance allowance is under consideration.

12. The Government has also been pleased to observe that the question of providing Judicial Officers with Conveyance allowance is under consideration.

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14. The Government has also been pleased to observe that the question of providing Judicial Officers with Conveyance allowance is under consideration.

15. The Government has also been pleased to observe that the question of providing Judicial Officers with Conveyance allowance is under consideration.

16. The Government has also been pleased to observe that the question of providing Judicial Officers with Conveyance allowance is under consideration.

17. The Government has also been pleased to observe that the question of providing Judicial Officers with Conveyance allowance is under consideration.

18. The Government has also been pleased to observe that the question of providing Judicial Officers with Conveyance allowance is under consideration.

19. The Government has also been pleased to observe that the question of providing Judicial Officers with Conveyance allowance is under consideration.

20. The Government has also been pleased to observe that the question of providing Judicial Officers with Conveyance allowance is under consideration.

S. C.

Government of his highness the Maharaja of Mysore.

GENERAL AND REVENUE DEPARTMENTS.

G. O. No. L. 2562-79—L. B. 51-29-2, dated 23rd September 1930.

Travelling Allowance.

Directs that the payment of —— to Sanitary Inspectors, etc., who are asked to attend Court by the Police Department should not be paid out of District Funds but that they should be given batta under the rules of the Court and met by Government.

READ—

Letter No. O. C. 16, dated 4th July 1929, from the President, District Board, Kolar, stating that the payment of travelling allowance, etc., out of District Funds to the Sanitary Inspectors who are asked by the Police Department to go to Courts for giving evidence in Criminal cases, have been held under objection during audit on the ground that the journeys were not undertaken in the interests of the District Board and requesting that the objection may be caused to be withdrawn and clear instructions issued for meeting the charges in future.

ORDER NO. L. 2562-79—L. B. 51-29-2, DATED 23RD SEPTEMBER 1930.

The Comptroller is requested to waive the objections in respect of expenditure already incurred for the purpose referred to above.

2. As regards the payment of travelling allowance, etc., charges in such cases in future, Government observe that the expenditure of the funds of the District Boards is regulated by Sections 45 and 65 of the Mysore District Boards' Regulation and there is nothing in either of these Sections to justify the charges in question being met out of the funds of the Board. Government therefore direct that in future such officers be granted batta under the rules of the Court, if any, and that the cost be debited to Government.

R. RANGA RAO,
General Secretary to Government.

To—The President, District Board, Kolar through the Deputy Commissioner, Kolar District.
The Presidents of other District Boards through the Deputy Commissioners concerned.
The Deputy Commissioners of Districts.
The Comptroller to Government.
The Registrar, High Court of Mysore.

Exd.—C. K.

W D 823—GPB—490—6-10-30.